

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**TEREZ BROWNING and
APRIL ASKEW,**

Defendants.

No. 09-30168-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is Defendant Terez Browning's December 22, 2009 consent motion to continue trial setting (Doc. 22). Specifically, Browning moves to continue the January 19, 2010 trial as he needs additional time to conduct plea negotiations and to prepare for trial in the event that a plea is not attainable. The Government does not object to the motion. The Court being fully advised in the premises finds that Defendant Browning needs additional time to conduct plea negotiations and to prepare for trial. Further, the Court finds that pursuant to **18 U.S.C. § 3161(h)(7)(A)**, the ends of justice served by the granting of such continuance outweigh the best interests of the public and *all* Defendants in a speedy trial. The Court **GRANTS** the consent motion to continue trial setting (Doc. 22).

The Court **CONTINUES** the jury trial scheduled for January 19, 2010 to Monday, March 8, 2010 at 9:00 a.m. The time from the date the original motion was filed, December 22, 2009, until the date to which the trial is rescheduled, March 8, 2010, is excludable time for the purposes of speedy trial. Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance. The parties shall notify the Court if a change of plea hearing is necessary.

IT IS SO ORDERED.

Signed this 28th day of December, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**